HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE
AND
HON'BLE SHRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION No.16893 OF 2007

Between:

St. Stanley College of Engineering & Technology,
Muthangi Village, Patancheru Mandal, Medak
District, Represented by its President
Dr. T. Ram Mohan Reddy

…Petitioner

AND

Muthangi Gram Panchayat,
Pathancheru Mandal, Medak District,
Represented by its Executive Officer

...Respondent

: O R D E R :

Counsel for the petitioner : Shri Koka Raghava Rao,
Senior Advocate assisted by
Shri Thanneru
Srinivas

August 9, 2007

Per G.S.SINGHVI, CJ

In this petition, the petitioner has questioned the levy of property tax under Section 61 of the Andhra Pradesh Gram Panchayats Act, 1964 by claiming that the properties belonging to educational institutions are exempt from property tax.

After arguing the case at length, Shri Koka Raghava Rao, Senior Counsel made a request that his client may be permitted to withdraw the writ petition with liberty to avail the remedy of appeal under Clause 19 of the rules notified vide G.O.Ms.No.30, PR,
RD & R, dated 20-1-1995.

The request of the learned counsel is accepted and the writ petition is dismissed as withdrawn with liberty in terms of the prayer made. We also give liberty to the petitioner to make a comprehensive representation to the Gram Panchayat and establish its entitlement to claim exemption in terms of Rule 5 of the Andhra Pradesh Gram Panchayat Rules, 1965, notified vide G.O.Ms.No.282, PR, dated 12-2-1965. However, it is made clear that this observation of the Court shall not be treated as a mandate for granting exemption to the petitioner from payment of house tax and the representation, if any, made by it shall be considered and decided by the competent authority keeping in view the relevant statutory provisions and the judgments of this Court.

As a sequel to dismissal of the writ petition as withdrawn, WPMP No. 21552 of 2007 filed by the petitioner for interim relief is disposed of as infructuous.

G.S. SINGHVI, CJ

C.V. NAGARJUNA REDDY, J

August 9, 2007
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